U.S. DISTRICT COURT

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## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC., a Delaware corporation,

Plaintiff and Counterclaimdefendant,

v.

NOVELL, INC., a Delaware corporation,

Defendant and Counterclaimant.

**STIPULATION** 

Case No. 2:04CV00139 Honorable Dale A. Kimball

Plaintiff and Counterclaim Defendant The SCO Group, Inc. ("SCO") and Defendant and Counterclaim-Plaintiff Novell, Inc. ("Novell"), hereby stipulate that this Court may enter an order permitting SCO to file a response to Novell's Motion to Stay Claims Raising Issues Subject to Arbitration and Novell's Motion for a More Definite Statement of SCO's Unfair Competition Cause of Action on or before May 19, 2006.

DATED this 28th day of April, 2006.

HATCH, JAMES & DODGE, P.C. Brent O. Hatch Mark F. James

BOIES, SCHILLER & FLEXNER LLP Robert Silver Stuart H. Singer Stephen N. Zack **Edward Normand** 

Counsel for The SCO

DATED this 28th day of April, 2006.

Thomas R. Karrenberg John P. Mullen Heather M. Sneddon ANDERSON & KARRENBERG

Michael A. Jacobs Matthew I. Kreeger MORRISON & FOERSTER

By flaulin in friedder Counsel for Novell, Inc.

## **CERTIFICATE OF SERVICE**

Plaintiff/Counterclaim Defendant, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing Stipulation and Proposed Order was served on Defendant, Novell, Inc., on the 28th day of April, 2006, by hand delivery to:

Thomas R. Karrenberg John P. Mullen Heather M. Sneddon ANDERSON & KARRENBERG 700 Bank One Tower 50 West Broadway Salt Lake City, UT 84101

And by U.S. mail to:

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